

United States Senate

WASHINGTON, DC 20510-0907

January 8, 2010

The Honorable Nancy Pelosi
Speaker of the House
H-232, US Capitol
Washington, DC 20515

The Honorable Harry Reid
Majority Leader of the Senate
211 Capitol Building
Washington, DC 20510

Speaker Pelosi and Majority Leader Reid:

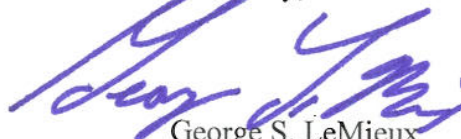
I write today to request you remove the provision that lowers the employer mandate exemption to five employees for the construction industry in H.R. 3590, the Patient Protection and Affordable Care Act (PPACA). This provision has potentially devastating consequences for a struggling construction industry.

H.R. 3590 contains an employer mandate requiring businesses with 50 or more employees to offer health care coverage or face a penalty. A provision added to the manager's amendment in the Senate reduced the exemption threshold to only five employees, solely for the construction industry. Why would we penalize the men and women who build our homes by placing a new mandate on an ailing construction industry that will ultimately lead to lost jobs and decreased productivity?

Over the last year, the construction industry lost roughly one million jobs and has an unemployment rate of 22.7 percent, more than double the national average. During a time when businesses are trying to keep their doors open, the last thing the government should do is force additional burdens dictating how individuals should run their companies. All small businesses face special challenges trying to provide affordable coverage to their employees. It would simply be unfair to single out and change the rules for a particular industry while exempting all other small businesses.

I appreciate your attention to this matter and urge you to remove this harmful provision from any final product resulting from House-Senate negotiations.

Sincerely,



George S. LeMieux
United States Senator

cc: Republican Leader Mitch McConnell
U.S. Senator Bill Nelson